



CALIFORNIA  
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**JACK O'CONNELL**

State Superintendent of  
Public Instruction

PHONE: (916) 319-0800

February 22, 2006

Dear County and District Superintendents and Charter School Administrators:

### **FLEXIBILITY FOR INDEX STATES UNDER THE NO CHILD LEFT BEHIND ACT**

For more than two years, I have persistently and vocally advocated that states should be able to determine whether or not their districts and schools meet Adequate Yearly Progress (AYP) through growth-based accountability systems, such as the Academic Performance Index (API) here in California. In response to such urging, on November 21, 2005, U.S. Secretary of Education Margaret Spellings announced a pilot project on "growth models." She invited interested states to submit proposals by February 17, 2006. Following a review process, a maximum of ten states would be empowered to employ these models in determining AYP for 2006.

This was a very welcome and encouraging development for us. However, from the letter as well as the subsequent discussions, it soon became clear that the U.S. Department of Education (ED) was using "growth model" in a narrow sense, one that unfortunately excludes the current API system. Under the ED definition, a "growth model" is based on individual student progress from year to year, not on aggregate improvement at the district or school-level.

The API system, as currently configured, is based on an aggregate, cross-sectional analysis of test results from year to year, not on analysis of test results by individual students from one grade to the next. For example, under the current API system we compare the performance of this year's fourth graders to the performance of last year's fourth graders. We do not compare the performance of this year's fourth graders to their performance as third graders.

To implement a system based on individual student growth, you must be able to link individual student results from year to year. California currently is in the process of developing this capacity through implementation of the California Longitudinal Pupil Achievement Data System (CALPADS); however, this system will not be fully in place until 2008. Pending full implementation of CALPADS, California is not in a position to supplement the current API system through some type of measure of individual student growth.

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In Secretary Spellings' letter of November 21, 2005, she also noted the flexibility that the ED has already granted for index systems, such as those in Massachusetts, New York, and a number of other states, although these are not "growth models" under the narrow definition employed by ED. This flexibility could be extended to other states as part of the normal amendment process in which states submit changes to their Accountability Workbooks. This in effect offers an alternate avenue to index states such as California.

We believe that the API, as currently configured, properly belongs in this second category; we therefore intend to submit by the April 1, 2006, deadline a proposal to the ED as part of the amendment process, not the pilot project. In our view, this offers the best prospect of success for California. In support of this proposal, we will recommend changes in the API target structure to the State Board of Education (SBE). These changes would bring the API system in line with the aspirations of the No Child Left Behind Act. In particular, our proposal will address the persistent and pernicious gap in achievement between traditionally higher scoring and lower scoring student subgroups, which is clearly the greatest challenge confronting educators both here in California as well as the rest of the nation.

If you have any questions regarding this subject, please contact William L. Padia, Deputy Superintendent, Assessment and Accountability Branch, at (916) 319-0812 or by e-mail at [bpadia@cde.ca.gov](mailto:bpadia@cde.ca.gov).

Sincerely,

JACK O'CONNELL

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